

# **Tomales Bay Vessel Management SAC Working Group**

## **Summary Notes**

**July 24, 2008**

### **1. Updates**

#### Comments from members on updated documents ground-rules (#1), issues (#3)

The ground rules and issues document were updated to reflect changes proposed by the Working Group (WG) at the June meeting.

**ACTION>>** (1) WG consensus on approving groundrules and list of issues. (2) Changed the word “finalized” to “proposed” on meeting notes.

#### Progress of Interagency Committee (IC):

Miriam gave an overview of the discussions of the IC. CalTrans was added to the IC. CalTrans has requested that there be additional criteria to consider sacred Indian burial grounds. This issue will be discussed at a future IC meeting.

#### Seagrass Expert Update

The invitee list for the seagrass expert meeting has been completed. The following scientists have been invited to attend: Kathy Boyer, Ted Grosholz, Natalie Cosentino-Manning, Suzanne Olyarnik, Loraine Parsons, and Tom Moore (who will be WG representative). The meeting is in the process of being scheduled.

**STAFF ACTION>>** Miriam will send out a message to WG members announcing the date and time of the meeting with the seagrass experts (which is scheduled to take place in September/October).

The WG discussed possible questions for seagrass experts to answer at their meeting.

**ACTION>>** The WG recommends that the following questions are given to seagrass experts:

- Do moorings have a measurable impact to seagrass, and if so what type of impact do moorings have?
- Is there guidance that can be given on an adequate buffer for a moored boat?
- Do helical moorings have an impact on seagrass? If so, what is the extent of that impact?
- Is there a precedent that shows zero impact from installing moorings on seagrass beds?
- What is everything known about shading from boats and it's impacts to seagrass considering new technology of mooring tackle?
- What is the possibility for local research on impacts to seagrass (and possibility benthic habitat) from moorings?

#### Permit agency meeting planned

The Permit agencies are scheduled to meet in September. An update will be provided at the October 30<sup>th</sup> WG meeting.

#### Meeting Announcements

The WG discussed whether or not to have future meetings open to the public, and if so, in what capacity is the public able to participate. The pros and cons of keeping a meeting open to the public versus closing the meeting were discussed. Several key points were made including: (1) Keeping the meeting open gives full transparency to the process; (2) closing a meeting may give

the WG an opportunity to discuss more varied options before making a decision on recommendations; (3) if meetings are closed, summary notes from all WG meetings are published and all recommendations are made public before any decisions are made; and (4) proposed recommendations of the WG are presented to the Sanctuary Advisory Council during a public meeting that is open to the public and has a public comment period. It was decided to maintain our existing agreement to keep meetings open to the public.

**ACTION>>:** The WG recommends that all future meetings will be open to the public for observation, and are noticed on the GFNMS (Tomales Bay Section) website.

**STAFF ACTION>>:** Final summary notes from each meeting will also be posted on the website and public comment will be available at SAC meetings.

## **2. Tackle Pilot Test**

There was a continued discussion of the issues raised from the tackle test discussion at the June WG meeting. A summary of key points/comments made during the discussion is listed below.

### General Concerns

- TBBA is concerned about doing the tackle test because we need to know if there is damage from the current types of moorings.
- There were questions about whether or not there is a detrimental impact to seagrass.
- Sanctuary should assess the impacts from current moorings before doing the tackle test.

### Gear

- Rode: Hazaleet might be more beneficial than seaflex.
- Stainless steel sometimes may have a problem with showing corrosion. Galvanized steel might be better. 5/8s top chain has to be replaced.
- High level of electricity in current might affect the gear
- Other places have not used concrete because of the concern that the blocks can drag.
- It is important to see if the cement causes a problem.
- The issue is with the chain. Might be useful to see if the elastic rode can be secured to a dead weight to see if there is damage.
- Concrete moorings sink.
- The amount the concrete sinks depends on the location.
- Need to test the gear and the science at the same time.

### Location

- Areas that are currently being used are good areas to have moorings. Potential mooring areas should include rocky habitat. Additional information would be helpful.
- We have soft sediment – helical wouldn't be driven down - cave a conical shape in the mud – might be a problem.
- Concrete may not have the conical shaving issue. Stainless steel might have an effect on the wood boat.
- Soft environment spuds help. It's not a barge that installs spuds, it's a 30 ft pontoon boat.

### Costs

- Perform studies on the Bay of depths 12 to 19 feet plus. Would the cost go up because of the depth of soft sediment? This is a concern.
- Boat size, depths of mud, sediment type determine price

- The cost goes down when there are more moorings. It depends on the types of the boats to give an exact amount, but the cost would go down.
- Mike Rawlings of US Mooring Systems estimated that the costs of a helical mooring in Santa Barbara would be \$3,700 to \$4,000, installed.

**ACTION>>** The Working Group recommends a pilot test for the effectiveness of mooring and chain / rode management systems under \$2,000 installed and their environmental impacts using scientific protocol (including new and existing mooring systems). Rode examples: floats on chain, elastic, etc.

*Parking Lot:* Proposed recommendation on value statement on mooring in Tomales Bay.

### **3. Sewage Services and Siting**

Boater Needs Assessment: TBBA has a draft survey for boaters need assessment and will provide an electronic copy. The WG reviewed and discussed the questions proposed in the boaters needs assessment. It was advised that these issues raised be resolved before the results are produced. Sanctuary staff will provide a list of volunteers for TBBA if needed.

*Key questions and answers:*

Q: Is this survey going to show use on Tomales Bay?

A: It may give some estimation of the level of transient use.

Q: Do you consider kayakers as users?

A: Yes

Q: Could this lead us to an indication of need that could be lower than reality?

A: Need to see if there is a standard extrapolation or need to clarify in the survey that it should not be used to extrapolate. Add suggestion to have volunteers at access points to administer the survey.

#### Pump-out and Dump Stations

*General* - There was a concern that a pump-out station at any location would affect water quality because of the possibility of a spill.

*Lawson's Landing* – Is a possible site for a dump station but probably not good for a pump-out station because it's too shallow.

*Sacramento Landing* – Propose this as an interim site until another one gets cited. There was general agreement that it should be assessed to see under what conditions it could be feasible. Funding is an issue because it needs a floating dock. No recommendation was made to the SAC.

*White Gulch* – Discussed as a good place to show green alternatives as a precedent for a composting station in a wilderness area. White Gulch was discussed as a better area in terms of water quality. However, there was a concern that it would not be a good place to have infrastructure.

**STAFF ACTION>>** Send a memo summarizing issues at each location in preparation of next WG meeting. Request that WG members prepare thoughts on the places that have been discussed in order to make a recommendation to the SAC.

**STAFF ACTION**>> Assess responses from *Kevin Atkinson* at next meeting as to need for services and if he doesn't perceive an adequate need, suggest that a survey will be done.

Questions for Kevin:

1. What are your criteria for determining whether or not to fund?
2. Does the fact that GFNMS envisions TB as a NDZ have any weight in the decision-making process? Why or why not?

**ACTION** >> The WG recommends that the SAC write a letter to Marin County Environmental Health asking them to look into the following:

- Is there capacity for a Marshall Boat Works pump-out station for East Shore wastewater site under the existing system as structured and existing agreements, permits and capacity?
- What effect would holding tank chemicals have?
- What will be the cost and feasibility to connecting the ES system during phase 2 of the project?

**ACTION** >> The WG recommends that sanctuary staff follow up with Marin County Parks and Open Space District (MCPOSD) regarding putting a dump station at Miller Park.

**ACTION**>> The WG recommends that the SAC write a letter to the Boating and Waterways Commission and Marin County Board of Supervisors to request a dump station at Miller Park and to encourage to approval of phase 2 of the work.

#### **4. Revised criteria for protected areas**

##### Seagrass

At their June meeting, the Working Group initially suggested a SAC action on proposed mooring criteria for seagrass, but at the July 24th meeting, they tabled action on this item, and have removed the recommendation to SAC. Mark: Not against having protections on seagrass. Think there should be a scientific process to look at this issue to determine if there is more than a negligible impact. Want to clarify that in the notes and clarify that I was only voting on the change in the language of the criteria

*Issues Raised:*

- Concern that Tomales Bay seagrass is in expansion and so the worldwide decline of seagrass does not seem to apply here.
- It would appear from past Fish and Game data that Tomales Bay is mostly healthy, but data from 2008 have not been analyzed.
- Concern about flexibility in making decisions regarding mooring in seagrass. Looking at the map, there might not be an issue with mooring in seagrass now, but the issue could be there in the future. It would have effect on future boaters.
- A study on sedimentation and how it effects on seagrass would be useful in Tomales Bay. Note that NOAA, as a member of the TBWC, could request and possibly receive funding.

Seagrass criteria per June 27, 2007 meeting (The underlined language is a starting point for discussion at the October 30<sup>th</sup> meeting):

“Seagrass extents from 1992 were merged with updates from 2000, 2001, and 2002 to designate current seagrass beds. (More recent data were not available at the time). No mooring in designated seagrass beds will be permitted and a buffer equal to the mooring radius of a boat would be applied, pending future scientific studies into the effects of moorings on seagrass beds.”

Based on adaptive management, designated seagrass beds will be periodically updated using surveys.”

**ACTION>>**The WG tabled a full discussion on the seagrass criteria until the October 30<sup>th</sup> meeting.

#### Shellfish and Benthic Habitat

Marc Commandatore from CA Department of Public Health (DPH) gave an overview of the criteria to site moorings near mariculture/shellfish operations. Two Areas were discussed: Chicken Ranch Beach and Marconi Cove. Mooring areas would be limited by the shellfish growing area. DPH discussed the revised criteria and Marc made it clear that the agency will not tell people where to put their vessels. They are trying to steer away from telling people where to put their boat. The original criteria had a 100 ft buffer, which resulted in “telling people where to put their boat,” so the new criteria moves away from that approach. NSSP has a model ordinance on how to do the vessel citing.

Revised Criteria as presented:

#### **Areas that fail to meet the DPH calculations for safe distances between moorings and shellfish growing operations.**

Locations and extents of active aquaculture lease areas were provided by the CA Dept. of Fish and Game. The safe distances between moorings and shellfish growing operations are based on dilution ratios that analyze the number of vessels and volume of water surrounding each vessel relative to fecal coliform dilutions to safe levels (below 14 Most Probable Number) and factor in other viruses and other pathogens. The dilution ratios for moored boats near shellfish beds will be applied on a case-by-case basis.

- DPH will be a consultation agency and would review moorings based on places that they are cited. The national program does models for fecal coliform.
- The WG discussed the language and several members made it clear that they supported mariculture, and needed clarification on how this new criteria would be applied.
- Marc from DPH pointed out that shellfish is a raw food product and health considerations need to be made. Although there is rare chance of discharge, DPH has to consider the implications of that potential source of discharge. Boats on moorings present this opportunity for discharge so the agency has to make an assumption that the discharge could happen. However, it was pointed out that DPH never had to make a decision to turn away a vessel mooring in Tomales Bay. Marc made the point that the bottom line is that the criteria set the stage for dialogue and there are no hard-line decisions at this point.
- WG members expressed concern that the criteria as written does not reflect the fact that there is a possibility for dialogue. The WG proposed to add additional language to the criteria.

**ACTION>>** Add the following language to the Aquaculture Criteria: Additional consideration may be given to boat type, location, usage, and other factors.

**STAFF ACTION>>** Take detailed notes of aquaculture discussion at next IC meeting.

#### **5. Wrap-up and next steps**

All recommendations and proposed SAC actions were reviewed.